

PUBLIC WORKS COMMITTEE

DATE: June 29, 2006

CALLED TO ORDER: 5:03 p.m.

ADJOURNED: 5:52 p.m.

ATTENDANCE

ATTENDING MEMBERS

Lonnell Conley, Chairman
Patrice Abduallah
Jim Bradford
Ginny Cain
Scott Keller
Dane Mahern
Angela Mansfield
Mary Moriarty Adams
Michael Speedy

ABSENT MEMBERS

AGENDA

PROPOSAL NO. 200, 2006 - reappoints Herb Bazemore to the Marion County Stormwater Management Technical Advisory Committee
"Postponed" until July 27, 2006

Vote 9-0

PROPOSAL NO. 345, 2006 - amends the Revised Code, traffic operating restrictions, to regulate the use of any engine, compression, dynamic braking device, or mechanical exhaust device (often times referred to as a "Jake brake" or "jake braking")
"Held for further study"

Vote 9-0

PROPOSAL NO. 368, 2006 - reappoints Kathryn Rietmann to the Wellfield Education Corporation Board
"Strike"

Vote 9-0

Update on the 38th Street Project, the re-launch of the Recycling Program, and the status of the Parking Meter Trial Period for the new parking meters – presented by Margie Smith-Simmons, Public Information Officer, Department of Public Works

PUBLIC WORKS COMMITTEE

The Public Works Committee of the City-County Council met on Thursday, June 29, 2006. Chair Lonnell Conley called the meeting to order at 5:03 p.m. with the following members present: Patrice Abdullah, Jim Bradford, Ginny Cain, Scott Keller, Dane Mahern, Angela Mansfield, and Mike Speedy. Mary Moriarty Adams arrived shortly thereafter.

PROPOSAL NO. 200, 2006 - reappoints Herb Bazemore to the Marion County Stormwater Management Technical Advisory Committee

Chair Conley said that NaTrina Moffett, committee clerk, has heard from Mr. Bazemore and he is interested in continuing to serve the Stormwater Committee, but he is unavailable to attend tonight's meeting and will be out of town for the following meeting.

Councillor Abdullah said that the Committee should try to aid citizens that are willing to serve on committees, and since the Stormwater Committee is now re-forming, he is prepared to give Mr. Bazemore a chance to come before the Committee.

Councillor Abdullah moved, seconded by Councillor Mahern, to "Postpone" Proposal No. 200, 2006 until July 27, 2006. The motion carried by a vote of 9-0.

Councillor Mansfield asked if the Committee should forward the appointment to full Council since Mr. Bazemore will not be available at the next meeting so that he can attend any scheduled Stormwater Committee meetings. Chair Conley said that the Stormwater Committee meetings have not officially begun and he would like for Mr. Bazemore to come before this Committee before forwarding the proposal to the full Council.

PROPOSAL NO. 345, 2006 - amends the Revised Code, traffic operating restrictions, to regulate the use of any engine, compression, dynamic braking device, or mechanical exhaust device (often times referred to as a "Jake brake" or "jake braking")

Councillor Salisbury said that a "Jake brake" is a device that allows truck drivers to not be required to keep their foot on the brake while going downhill. With the use of a "Jake brake", the compression from the engine maintains a slow speed as the truck goes down the hill. He said that this device was originally designed for mountainous areas and they are a great safety device. He said that the device is really noisy, and the challenge is that there are not a lot of hills in Marion County; however, the use of the "Jake brake" is being utilized by drivers. Councillor Salisbury said that a great percentage of the population in Marion County is near truck traffic, which primarily goes through town at night. He said that if a driver turns on a "Jake brake" in the middle of the night, it will wake a person. Chair Conley asked if the driver will be ticketed for that action. Councillor Salisbury said that would be ideal, as he was not able to see what the fining process would be and he thought that this ordinance would appear under the Noise Ordinance. Many other Indiana counties simply have a sign posted near the entrance to the county stating that the county is a "No Jake brake Zone." He said that drivers anticipate a fine, but he is unsure of a specific amount.

Councillor Abdullah asked if the device is installed in the vehicles or if it is a standard part. Councillor Salisbury answered that it is not available on automobiles; it is typically for Semi-trucks that travel great distances and can be installed. Councillor Salisbury said that the sound of the “Jake brake” is a medium-to-low pitch sound that travels more through the ground than through the air, causing vibration.

Councillor Bradford said that he has done a lot of interstate driving in the past and he is trying to figure out if he has heard the sound. He said that he does not know enough about the device and would like more information to understand what the ordinance is working toward.

Councillor Mahern asked if the Department of Public Works (DPW) has received calls or complaints regarding jake braking. Councillor Mansfield said that she does not believe that Public Works would receive those calls because she believes that this is more of a noise issue that would go through the Mayors Action Center. She said that she constantly receives calls about people playing music too loud or loud exhaust systems in residential areas. She asked what kind of enforcement is anticipated for the proposal, and if there should be a specific fine assigned for violations. Councillor Salisbury said that he believes that a fine should be assigned as a way to enforce the ordinance and he would leave that to the discretion of the Committee.

Councillor Mansfield asked if this proposal has been discussed with the City Prosecutor, as they commonly deal with noise issues and enforcement. Councillor Salisbury answered in the negative. He said that he has spoken with a professional truck driving couple who told him that there is no reason to use a “Jake brake” in Marion County because there are no hills.

Councillor Mahern said that he would like to continue this proposal to speak with the City Prosecutor’s Office, and a lot of work has been done with the Noise Ordinance and he believes this proposal should be included in that.

Councillor Mahern moved, seconded by Councillor Mansfield, to “Hold” Proposal No. 345, 2006 for further study. The motion carried by a vote of 9-0.

Councillor Moriarty Adams asked what the enforcement will be outside of posted signs. Councillor Salisbury said that he understands that it is something that a police officer would typically write a ticket for in the same way as a noise violation and this should be a part of the ordinance.

Councillor Abdullah said that he would like to have this referred to the Prosecutor’s Office to determine an appropriate fine for violation of the ordinance.

Councillor Bradford asked if Councillor Salisbury has worked with any Truckers Associations or organizations. Councillor Salisbury said that he has spoken with some professional truck drivers, and there is a website in which one can listen to the noise that is made by a “Jake brake”. He said that some of the truck drivers feel that the use of the “Jake brake” should not be used out of courtesy.

Kirk Ringenburg, citizen of District 13, spoke to the Committee about the following concerns and issues:

- He feels that some of the laws and ordinances are being ignored, thus contributing to the increase in crime in the community.
- His neighborhood has problems with unreasonable noise, abandoned homes, junk cars, trash, high grass, and weeds.
- His neighborhood also has problems with loose dogs or dogs restrained by a rope and chain only.

Chair Conley informed Mr. Ringenburg that his concerns are important and let him know that the Committee must currently deal with the issue regarding the matter of the “Jake brake”. Councillor Mansfield directed Mr. Ringenburg to contact Teri Kendrick, City Prosecutor, regarding issues with unreasonable noise. Mr. Ringenburg said that he has contacted Ms. Kendrick.

Chair Conley asked Councillor Salisbury if he could provide more written information for the Committee while the Committee is also obtaining information from the Prosecutor’s Office.

PROPOSAL NO. 368, 2006 - reappoints Kathryn Rietmann to the Wellfield Education Corporation Board

Chair Conley read a resignation letter (attached as Exhibit A) from Ms. Rietmann discussing her decision not to seek re-election to the Wellfield Education Corporation Board (WEC).

Councillor Moriarty Adams moved, seconded by Councillor Abdullah, to “Strike” Proposal No. 368, 2006. The motion carried by a vote of 9-0.

Councillor Cain asked if anyone knew who appointed Ms. Rietmann to the WEC Board. The Committee was unsure. Councillor Cain said that maybe someone could ask Ms. Rietmann if she has some recommendations as to who could fill her position.

Other Business

Chair Conley said that he has a note from Councillor Plowman requesting that Proposal No. 492, 2005 be taken off the table and put back on the floor. Proposal No. 492, 2005 authorizes speed limit reductions throughout the Smithfield subdivision (District 25).

Councillor Plowman said that this is the third time that he has been before the Committee for a speed limit reduction in District 25, and it is currently 30 miles per hour (MPH) statewide. The state law gives the opportunity and the authority to reduce it by 10 MPH, and he would like to see it changed to 20 MPH in the Smithfield subdivision. He said that it is an area that has numerous children that are in the streets during the summer and waiting for school buses in the winter. The residents prefer speed limit reductions as opposed to other options, such as speed bumps. Councillor Plowman said that this ordinance was previously tabled because it was a new

development and the City did not own the streets, so nothing could be done. He said that the City now owns the streets and he and the residents would now like to pursue the ordinance.

Councillor Bradford said that he would support bringing Proposal No. 492, 2005 back before the Committee if it can be done in that manner. Councillor Mansfield said that she is concerned that Nathan Sheets, Senior Project Manager, Department of Public Works (DPW) is not present and she would like to hear input from the department. Councillor Bradford asked if the proposal could be heard and then if Mr. Sheets has a problem, it could be brought back to the Committee. Chair Conley said that he would rather Mr. Sheets be present at Committee and everything be done properly so that it does not have to be sent back and forth.

Councillor Mansfield moved, seconded by Councillor Cain, to “Postpone” Proposal No. 492, 2006 until July 27, 2006 and to add it to the agenda. The motion carried by a vote of 9-0.

Update on the 38th Street Project, the re-launch of the Recycling Program, and the status of the Parking Meter Trial Period for the new parking meters – presented by Margie Smith-Simmons, Public Information Officer, Department of Public Works

Ms. Simmons said that Victoria Cluck, Administrator of Strategic Planning, DPW, will discuss the new Parking Meter Pilot Program that was launched on Monday, June 26, 2006. Ms. Cluck said that the test period will run for 90 days, and the vendors, Rhino and UTS Global, have provided free parking meters for the trial period. She said that the parking meters are the innovative, ATM-style, single Kiosks that will replace six, eight, or ten regular single space meters. Each meter can receive coins, as well as Visa, Mastercard, and Discover credit cards. She said that the trial period is going very well so far. A lot of feedback is being received from the public, and surveys are being conducted by DPW greeters that are at the parking meters for about four hours a day. Ms. Cluck said that at the end of the trial period, the following information will be reviewed:

- Surveys,
- Traffic data,
- Receipts,
- How things were handled by the Operations personnel, and
- The outcome of collections procedures

Ms. Cluck said that DPW will then come back to the Committee with a recommendation of how to proceed further. She said that there are currently more credit cards being received than coins.

Chair Conley asked what type of feedback has been received so far. Ms. Cluck said that DPW has received a lot of positive feedback. The constituents have expressed their happiness with the credit card option, and some do not like to walk back and forth for the “Pay and Display” meter. She said that one of the machines had a glitch with a credit card and caused some negative feedback, but the problem is being addressed.

Councillor Moriarty Adams asked if constituents input the number of hours that the meter is needed when credit cards are inserted. Ms. Cluck said that when a constituent uses a credit card, one of the meters starts charging at a dollar and then an up or down arrow can be used to get more or less minutes. Chair Conley asked if one could put in their credit card and have the meter all day. Ms. Cluck said that the parking restrictions are still the same with a two-hour limit.

Councillor Mahern suggested that DPW look at airing an educational program on Channel 16 that illustrates how the meters are used and for promotional purposes. He asked if debit cards can be used also. Ms. Cluck answered that if the debit card has a credit card symbol on it, it can be used.

Councillor Speedy asked what the furthest distance would be that someone would have to walk to get to the Kiosk. Ms. Cluck answered that the farthest would be about a half block, and the meters are typically located in the center of a block. Ms. Simmons said that there is an exception for the meters in Broad Ripple; there are two on each side of the street.

Councillor Speedy asked how long DPW expects the meters to last. Ms. Cluck said that the meters have a five-year warranty, but she does not believe that they have been in cities for much longer so she is unsure of the technical life. Councillor Speedy asked when the current meters were last updated. Ms. Cluck said that she does not know the exact date, but it has been a few years. Councillor Speedy said that he is wondering if the current devices have been fully utilized. Ms. Cluck said that if the new meters are implemented, they will be phased in by removing the older meters first. Councillor Speedy asked if the new meters are implemented, will parking fees be increased and who will authorize that. Ms. Cluck said that those are two separate issues, and this will not necessitate an increase in fees. Councillor Speedy asked if fees will need to be increased to finance the changes. Ms. Cluck said that it is uncertain, but other options are being examined to possibly finance the changes.

Councillor Bradford commented that he noticed in the Broad Ripple area there are workers there to help people use the machines. He said that the new meters are helpful in Broad Ripple because a lot of people do not carry cash. He said that he also does not believe that the walk to the meters should create much of a problem.

Councillor Mansfield asked if the meter systems would kick someone out that used a credit card if they were trying to input more time for the meter once the two hours has expired. Ms. Cluck said that she is unsure of the answer, but will get that information. Mickey Rogers, Executive Assistant, DPW, said that he has received information from the vendor that states that there is the ability to program the card into the machine and a way to stop bad credit cards. He said that he does not believe that the function is currently active, so one would have to go back and complete the transaction again after two hours.

Councillor Mahern asked if a comparison will be done to see what amount of funds was received by the meters before the change and after the change to determine the economic impact of the new meters. Ms. Cluck said that the baseline has been set to measure the difference, so that a comparison can be done at the end of the test period.

Councillor Abdullallah asked if there is an adequate amount of parking meters for disabled individuals. Ms. Cluck said that there are two options if the new meters are implemented; one is to leave the single space blue meters that are already in place. The second option is that those individuals can park in other spots with the new meters, as they are ADA accessible. She said that there is also the possibility that the blue meters will be left and the new meters put in, which would provide more options for parking for disabled individuals. Ms. Cluck said that DPW went to the Mayor's Council on Disability to speak about the new meters, asked them to go out and try them, and to provide feedback.

Ms. Simmons said that in early to mid-August, DPW will be re-launching a recycling initiative for the City. The program will remain as it is, offering curbside recycling for about \$5 a month and free drop-off recycling at 29 locations. She said that this initiative is getting its own identity to increase participation, as it was looked at last year as a possible cut from the budget. Mayor Peterson, however, did not want to do that. Ms. Simmons said that they are looking at ways to increase recycling in the short-term by re-launching, giving it its own identity, and increasing outreach and educational efforts to encourage more people to recycle. She said that curbside recycling would cost the constituent \$5 a month, but costs DPW \$8.57 per week, per customer. Therefore, DPW's goal is to increase the amount of curbside recyclers to make it a more cost-effective program.

Councillor Bradford asked why the City is waiting until August, when more glass and pop is used during the summer when children are out of school. Ms. Cluck said that the plan is to go after children while in school, to obtain a more captured audience with the ability to go to schools and meet with the teachers and speak to many children at one time. The other reason is to help roll in two other national recycling efforts, Cans for Cash and America Recycles Day, which take place in October and November. Councillor Bradford said that he appreciates working with the children, but it seems that it would make sense to work with the parents during the summer, since they are the ones who purchase the goods.

Councillor Mahern asked what type of promotions will be put toward getting the re-launch idea out to the public. Ms. Simmons said that an identity has been created, it has been branded, and a logo and tag line has been developed with a reputable Public Relations firm. She said that all that will be incorporated into all collateral materials, and they will be utilizing Channel 16, working with schools, and doing everything possible to be sure that the information gets out to the public with an educational outreach push. Ms. Simmons said that she believes that there are a great number of people who want to recycle, but do not know how to go about it. One simply needs to call the Mayor's Action Center at 327-4622 and get set up for recycling, or take items to any of the 29 drop-off locations.

Ms. Simmons said that 38th Street, from Martin Luther King to Salem Street, is 100% complete and looks beautiful with the landscape medians. She said that Phase II, from Salem Street to Fall Creek Parkway, is about 65% complete; the completion date is December 31, 2006. This phase will be similar to Phase I with decorative medians and landscaping. Phase III, from Michigan Avenue to I-65, is completely closed to through-traffic and DPW is on schedule to re-open on July 28, 2006, prior to Brickyard 400.

Mr. Bradford asked if maybe an ADA representative could be brought to the Committee to discuss the way the sidewalks have been done. He said that the sidewalks are more geared for people who are physically disabled, as opposed to people who are blind. He said that one used to be able to go down the side of a sidewalk, but unfortunately, the gutters that are on the waterway areas are very thick and could result in someone getting hurt. Chair Conley said that he agrees, as it was discussed and needs to be revisited.

Conclusion

With no further business pending, and upon motion duly made, the Public Works Committee of the City-County Council was adjourned at 5:52 p.m.

Respectfully Submitted,

Lonnell Conley, Chairman

LC/nsm